

MINUTES
MARCH 22, 2023 – 6:00 PM.
MEETING OF THE BOARD OF TRUSTEES
OF THE INCORPORATED VILLAGE OF NORTHPORT
REGULAR MEETING

Meeting was held live at Village Hall, 224 Main Street Northport, NY 11768 and also via Zoom:

PRESENT: Mayor Koch, Deputy Mayor Sabia, Trustee Weber, Trustee Pucillo, Trustee Dolan, Attorney Gathman, Assistant to the Mayor Don Tesoriero, Village Administrator Roland Buzard, Treasurer Siobhan Costello, Chief Hughes, Village Clerk Georgina Cavagnaro

ZOOM PARTICIPANTS: Chris Stamos, Cynthia Doerler, Joy Nygren, Joseph Cavagnaro, Brett Jones, Jennifer Borden, Don Blixt

OPEN MEETING: Meeting was called to order at 6:00PM.

SALUTE TO THE FLAG: Pledge of Allegiance was recited.

ANNOUNCEMENTS: Pursuant to Election Law §15-126 Sub 44 the Village Clerk announced the newly elected members of the Village Justice Court to wit:

Village Justice (three-year term):

Candidate:	Votes:
Brian A. Trodden	72
Write In: Meghan Dolan	1
Write In: Brad King	1
Write In: Arlene Handel	1

PRESENTATION: Kevin Cusumano of Boy Scout Troop 539 would like to present a Native Garden Kiosk about rising tides and global warming for his Eagles Scout project.

Fire Commissioner Paul Latuso gave a presentation on continuing education for EMT training. Permission was requested for the training to be performed by one of our certified paramedics at the Northport Fire House.

On the motion of Trustee Sabia and seconded by Trustee Weber and approved by all, a motion was made to reopen the Public Hearing.

CONTINUATION OF PUBLIC HEARING: PLEASE TAKE NOTICE that the Village of Northport held a Public Hearing on the 7th day of March 2023 at 6:00 p.m. at Village Hall, 224 Main Street, Northport, NY 11768 regarding the granting of a cable television franchise agreement by and between the VILLAGE OF NORTHPORT and CABLEVISION SYSTEMS HUNTINGTON CORP.

Representative from Cablevision, Samantha Javez appeared before the board regarding the agreement and announced the Peg Grant included in the agreement was increased by an additional \$4000.00. All were given the opportunity to speak before the public hearing was closed.

On the motion of Trustee Sabia and seconded by Trustee Pucillo and approved by all, a motion was made to close the Public Hearing.

PUBLIC PARTICIPATION: Recording available on website, Northportny.gov

BOARD APPROVAL OF WARRANT:

On the motion of Trustee Sabia and seconded by Trustee Dolan the following warrant was unanimously approved.

Prepay Governmental Funds Utility bills 3/10/23 in the amount of \$8,121.63

On the motion of Trustee Sabia and seconded by Trustee Pucillo the following warrant was unanimously approved.

Fire bills 3/14/23 in the amount of \$29,237.47

On the motion of Trustee Sabia and seconded by Trustee Weber the following warrant was unanimously approved.

Governmental Funds bills 3/22/23 in the amount of \$267,059.21

On the motion of Trustee Sabia and seconded by Trustee Pucillo the following warrant was unanimously approved.

Payroll week 3/10/23 General Fund \$281,303.32

On the motion of Trustee Sabia and seconded by Trustee Dolan the following warrant was unanimously approved.

Payroll week 3/10/23 Sewer Fund \$16,052.55

BUSINESS/COMMISSIONERS REPORTS: Recording available on website, Northportny.gov

TREASURER REPORT: Recording available on website, Northportny.gov

CHIEF OF POLICE REPORT: Nothing new to report.

CORRESPONDENCE: Recording available on website, Northportny.gov

REQUESTS: The following requests were approved by the board.

Due to the Fireman's Fair being held the week of July 10th Northport Chamber of Commerce requests permission to change the dates granted for Northport Family Nights to July 18th and July 25th, there will be no rain date.

Copenhagen Bakery is requesting to host an outdoor music program with local artists on Saturdays from May 1st – October 31st at 10:00 AM - 3:00 PM. The Board requests Copenhagen Bakery to have the music set up on the north side of the building.

RESOLUTIONS:

On the motion of Trustee Sabia and seconded by Trustee Dolan the following resolution was unanimously approved.

RESOLUTION: 2023 – 52 ~ APPROVAL OF MINUTES

BE IT RESOLVED, the minutes of the March 7, 2023 meeting are hereby accepted.

On the motion of Trustee Sabia and seconded by Trustee Pucillo the following resolution was approved. Trustee Dolan abstained.

RESOLUTION: 2023 – 53 ~ APPROVAL OF MINUTES

BE IT RESOLVED, the minutes of the March 13, 2023 meeting are hereby accepted.

On the motion of Trustee Sabia and seconded by Trustee Pucillo the following resolution was unanimously approved.

RESOLUTION 2023 – 54 ~ AUTHORIZING THE VILLAGE OF NORTHPORT TO RENEW A CABLE FRANCHISE AGREEMENT WITH CABLEVISION SYSTEMS HUNTINGTON CORP. TO OPERATE A CABLE SYSTEM IN THE VILLAGE OF NORTHPORT, NY

WHEREAS, the Village of Northport, NY (the "Village") is a "franchising authority" in accordance with Title VI of the Communications Act of 1934, (the "Communications Act"), and is authorized to grant one or more nonexclusive cable television franchises pursuant to Article 11 of the New York Public Service Law, as amended, and Title 16, Chapter VIII, Parts 890.60 through 899, of the Official Compilation of Codes, Rules and Regulations of the State of New York, as amended (collectively the "Cable Laws");

WHEREAS, the Village, executed a franchise renewal agreement with CABLEVISION SYSTEMS HUNTINGTON CORP. (the "Franchisee") on June 12, 2012, which was thereafter confirmed and made effective by the New York State Public

Service Commission on August 23, 2012 for a term of ten (10) years (Case No. 12-V-0293) and

WHEREAS, said franchise agreement thereafter expired on August 23, 2022; and

WHEREAS, Franchisee has submitted a proposed franchise renewal agreement (the "Franchise Renewal Agreement") to continue operating said cable system within the Village; and

WHEREAS, The Village and Franchisee have mutually agreed to the terms of said Franchise Renewal Agreement; and

WHEREAS, the Village has determined that the Franchisee is and has been in substantial compliance with all terms/provisions of its existing franchises and applicable law; and

WHEREAS, the Village has determined that Franchisee has the requisite legal, technical, and financial capabilities to operate cable systems within the Village and that Franchisee's proposals for renewal of the franchises meet the cable related needs of the Community; and

WHEREAS, a duly noticed Public Hearing, affording an opportunity for all those interested parties within the Village to be heard on the proposed Franchise Renewal Agreement was held before the Village on March 7, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Village determines that it is in the best interest of the public to award the Franchise Renewal Agreement to the Franchisee; and be it

FURTHER RESOLVED, that the Village hereby authorizes the mayor to enter into the Franchise Renewal Agreement with CABLEVISION SYSTEMS HUNTINGTON CORP. and to execute any other documents necessary to effectuate the granting of the franchise renewal on behalf of the Village of Northport.

The following resolution was tabled for the board meeting on April 5, 2023.

RESOLUTION 2023 – 55 ~ APPOINTMENT OF FULL-TIME SECRETARY

WHEREAS, Pursuant to sections 3-301 of the Village Law, Mayor Koch has proposed the appointment of Catherine Lageraaen as a full-time secretary.

BE IT RESOLVED, That Catherine Lageraaen is hereby appointed as full-time Secretary commencing on March 27, 2023 or as soon thereafter as Ms. Lageraaen is able to start, and shall be compensated at the annual salary of \$50,000. (35/hrs. weekly, Monday through Friday 8:30 a.m. to 4:30 p.m.), plus \$1,500 annually for attendance at monthly meetings of the Board of Architectural and Historic review and shall be eligible for all applicable benefits.

BE IT FURTHER RESOLVED, this is Type II Action pursuant to 6 N.Y.C.R.R. Section 617.5 (c) 26, and, therefore, no further SEQRA review is required.

On the motion of Trustee Sabia and seconded by Trustee Dolan the following resolution was unanimously approved.

REVISED RESOLUTION 2023 – 38 ~ RESOLUTION 2023 – 56 ~ PART-TIME SEASONAL POLICE OFFICER

BE IT RESOLVED, That the Village Board of Trustees has authorized an offer of part time employment to Shaun Napolitano at a revised rate of \$35.00 per hour.

WHEREAS, the offer of employment to the Northport Village Police Department is a Type II Action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(26) and, therefore no further SEQRA review is required

On the motion of Trustee Sabia and seconded by Trustee Weber the following resolution was unanimously approved.

RESOLUTION 2023 – 57 ~ PART-TIME SEASONAL POLICE OFFICER

BE IT RESOLVED, the Village Board of Trustees hereby authorizes an offer of part time seasonal Police Officer to Patrick Rogan who is currently a full time Police Officer with the Village of Asharoken, at the rate of \$35.00 per hour.

WHEREAS, the offer of employment to the Northport Village Police Department is a Type II Action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(26) and, therefore no further SEQRA review is required.

On the motion of Trustee Sabia and seconded by Trustee Dolan the following resolution was unanimously approved.

RESOLUTION 2023 - 58 ~ FIRST ARRIVING DIGITAL DASHBOARD SERVICE

WHEREAS, A “Sole Source” vendor First Arriving at 9555 Kings Charter Drive Suite K, Ashland, VA 23005 has been selected for a recurring subscription for a Digital Bulletin Board for the Police department at a cost for the first year not to exceed \$2,173.00 and

WHEREAS, this is a Type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(31), and, therefore, no further SEQRA review is required.

BE IT RESOLVED, the Mayor and Board of Trustees authorizes Chief Hughes to sign a contract and agreement with First Arriving.

On the motion of Trustee Dolan and seconded by Trustee Weber the following resolution was approved with a vote of 3 - 2.

RESOLUTION 2023 – 59 ~ AUTHORIZING THE MAYOR TO EXECUTE A RETAINER AGREEMENT WITH BRESLIN APPRAISAL CO., INC.

WHEREAS, The Village of Northport has had a lease agreement with Northport Trinity Church for the leasing of certain property located on Union Place commonly known as municipal parking lot number 9 (SCTM 404-9.00-2.0-38.0); and

WHEREAS, the Lease expired in February 2023, and;

WHEREAS, the Village has an option pursuant to the lease agreement after its expiration date to purchase the property, and;

WHEREAS, The Village is required by the terms of the lease agreement to obtain an independent appraisal of the property if the Village of Northport desires to negotiate to purchase the property, and;

WHEREAS, Breslin Appraisal Co., Inc. with offices at 44 Elm Street, Huntington, New York is licensed appraisal company, and;

WHEREAS, retaining an appraiser is a TYPE II action pursuant to 6 NYCRR 617.5 (c) 26 and further environmental review is not required.

NOW THEREFORE THE VILLAGE BOARD OF TRUSTEES HEREBY AUTHORIZES the Mayor to execute a retainer agreement with Breslin Appraisal Co., Inc. for the sum of three thousand five hundred and 00/xx dollars (\$3,500.00)

On the motion of Trustee Sabia and seconded by Trustee Dolan the following resolution was unanimously approved.

RESOLUTION 2023 – 60 ~ AUTHORIZING THE MAYOR AND TREASURER TO EXECUTE SUCH DOCUMENTS REQUIRED BY CAPITAL ONE BANK TO OPEN A BANK ACCOUNT FOR THE INCORPORATED VILLAGE OF NORTHPORT NUNC PRO TUNC.

WHEREAS, The Village of Northport desires to open and maintain bank accounts with Capital One Bank as a result of the recent financial issues at Signature Bank; and

WHEREAS, it is in the best interest of the Village of Northport to transfer money from Signature Bank to Capital One Bank; and

WHEREAS, the Village Treasurer has executed a third-party collateral agreement with Bank of New York Mellon in an effort to expedite the transfer of funds, and

WHEREAS, the Mayor and Village is required to execute certain documents required by Capital One Bank to establish a banking relationship and to execute third party collateral agreements with the Bank of New York Mellon which will provide collateral for the Village of Northport bank accounts as required by New York General Municipal Law and New York State Banking Law, and

WHEREAS, opening bank accounts for the Incorporated Village of Northport is a TYPE II action pursuant to 6 NYCRR 617.5 (c) 26 and further environmental review is not required.

NOW THEREFORE THE VILLAGE BOARD OF TRUSTEES HEREBY AUTHORIZES the Treasurer and Mayor to execute such documents reasonably required to establish a banking relationship with Capital One Bank and execute third party collateral agreements with Bank of New York Mellon.

On the motion of Trustee Sabia and seconded by Trustee Dolan the following resolution was unanimously approved.

RESOLUTION 2023 – 61 ~ YOGA IN THE PARK

WHEREAS, the wellness program is a continuing program offered by the Village of Northport for the betterment of its residents.

BE IT RESOLVED, the mayor is hereby authorized to execute an agreement with Jennifer Tzimas to use the Northport Village Park Gazebo Saturday mornings at 8:30am from June 24 – August 12, 2023 for Yoga, as part of the Village of Northport's Wellness Program.

WHEREAS: each participant will be charged a fee of \$10.00 per class of which half of the fee will be paid to the Village of Northport.

On the motion of Trustee Dolan and seconded by Trustee Sabia the following resolution was unanimously approved.

RESOLUTION 2023 – 62 ~ MY SALTY SOUL YOGA

WHEREAS, the wellness program is a continuing program offered by the Village of Northport for the betterment of its residents.

BE IT RESOLVED, that the mayor is hereby authorized to execute and agreement with Deanna Arecco to offer complimentary fitness classes at Steers Beach on Saturday and Wednesday mornings 9:00am – 10:30am from June 3 – October 29, 2023 for Stand-Up Paddle Board Yoga, as part of the Village of Northport’s Wellness Program.

On the motion of Trustee Sabia and seconded by Trustee Dolan the following resolution was unanimously approved.

RESOLUTION 2023 - 63 ~ SCHEDULE A PUBLIC HEARING ON LOCAL LAW PROPOSED “D” 306-18.1 A (2) APPLICATION FOR PERMIT OUTDOOR DINING

WHEREAS, The Northport Village Board of Trustees shall schedule a public hearing on the 4th day of April, 2023 at 6:00pm at Northport Village Hall, 224 Main Street, Northport, NY 11768 to consider the following proposed local law:

PROPOSED LOCAL LAW “D” OF 2023

A LOCAL LAW TO AMEND

CHAPTER 306-18.1 A (2) APPLICATION FOR PERMIT

(a) Applicants shall submit a sworn statement with a fee of ~~\$50~~ **\$250** that provides the following information and or statements; No further changes are being made to this section and

WHEREAS, the scheduling of public hearing to consider a code amendment is not an action pursuant to SEQRA, and no further SEQRA review is required at this time.

On the motion of Trustee Sabia and seconded by Trustee Pucillo the following resolution was unanimously approved.

RESOLUTION 2023 - 64 ~ AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR MAINTENANCE OF A BACKUP GENERATOR LOCATED AT NORTHPORT FIRE DEPARTMENT STATION #1 ON WATERSIDE AVE

WHEREAS, the maintenance of generator system that services Station #1 of the Northport Fire Department is occasionally required in order to facilitate efficiency of services and prolong the life expectancy of the equipment; and

WHEREAS, an additional agreement was received by the Village Administrator, for inclusion of the maintenance and repair contract for the Station #1 generator system; and

WHEREAS, Cummins Sales and Service (Cummins) at 890 Zerega Avenue, Bronx, NY 10473 is the lowest responsive, responsible bidder at a price of Six thousand two hundred and twenty dollars and twenty-nine cents (\$6,220.29) for a five-year contract for the maintenance of the Kohler generator system in that Cummins already services other village generators and has the fastest response time which is of critical importance to the Village; and

WHEREAS, the generator maintenance contract is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c) (26) and therefore no further SEQRA review is required.

NOW, THEREFORE BE IT RESOLVED, the Mayor is hereby authorized to execute a contract with Cummins sales and service for the maintenance of the generator system servicing Fire Department Station #1 in the amount of \$6,220.29 and further authorizes the mayor or her designee to enforce the provisions of the contract and all other relevant documents as deemed necessary by the Village Attorney.

On the motion of Trustee Sabia and seconded by Trustee Dolan the following resolution was unanimously approved.

RESOLUTION 2023 – 65 ~ BUDGET TRANSFERS

BE IT RESOLVED, The Village Treasurer is hereby authorized to make the following budget transfers; see attached General Ledger Budget Adjustment Proof List.

On the motion of Trustee Sabia and seconded by Trustee Dolan the following resolution was unanimously approved as amended.

RESOLUTION 2023 – 66 ~ AUTHORIZING LIVE MUSIC AT COPENHAGEN BAKERY

WHEREAS, the owner of Copenhagen Bakery located at 75 Woodbine Avenue has requested permission to have outdoor music on Sundays from nine am to one pm, and

WHEREAS, outdoor music is permitted pursuant to Village code section 306-18.1(B)(4) only by resolution of the Board of Trustees, and

WHEREAS, the Board of Trustees desires to permit outdoor live music provided that it is located in the grassy area on the Northside of the building at 75 Woodbine Avenue, and

WHEREAS, granting an outdoor dining permit is a Type II action pursuant to 6 NYCRR 617.5 (c) 26 and no further environmental review is required,

NOW THEREFORE THE VILLAGE BOARD OF TRUSTEES HEREBY RESOLVES THAT Copenhagen Bakery is authorized to have outdoor music on Saturdays from 10am to 3pm from May 1 to October 31 only in the grassy area by the North parking lot at 75 Woodbine Avenue, and it is

RESOLVED, that this authorization may be rescinded at any time by further resolution of this Board

On the motion of Trustee Sabia and seconded by Trustee Weber the following resolution was unanimously approved.

RESOLUTION 2023 - 67 ~ LITTLE LEAGUE AGREEMENT

BE IT RESOLVED, The Mayor is hereby authorized to sign a one-year agreement with the Larkfield ~ Northport Little League. Approved to form and content by the Northport Village Attorney.

WHEREAS, this is Type II Action pursuant to 6 N.Y.C.R.R Section 617.5 (c) 26, and, therefore, no further SEQRA review is required.

The Annual Organizational meeting of the Board of Trustees will be Tuesday, April 4, 2023 at 6:00PM.

On the Motion of Trustee Sabia and seconded by Trustee Weber and approved by all, a motion was made for an executive session at 8:20 PM with action for a personnel matter in the highway department.

On the motion of Trustee Sabia and seconded by Trustee Pucillo and approved by all, a motion was made to enter out of executive session at 8:35 PM.

On the motion of Trustee Sabia and seconded by Trustee Pucillo and approved by all, a motion was made to enter the public meeting at 8:35 PM.

On the motion of Trustee Dolan and seconded by Trustee Pucillo the following resolution was approved. Trustee Sabia abstained.

RESOLUTION 2023 – 68 ~ APPOINTMENT OF COUNSEL

WHEREAS: The Board of Trustees desires to appoint counsel to represent the Village of Northport in certain personnel matters to conduct an internal investigation of a recently filed employment related complaint by a Village employee, and

WHEREAS: The Board of Trustees hereby appoints Sokoloff & Stern, LLP with offices at 179 Westbury Avenue, Carle Place, NY 11514 to serve as counsel to the Village of Northport to serve in the above capacity and they shall be compensated at the rate of two hundred seventy-five dollars per hour.

On the motion of Trustee Sabia and seconded by Trustee Pucillo and approved by all, a motion was made to close the public meeting at 8:38 PM.

Respectfully submitted,

Georgina Cavagnaro
Village Clerk